

PUBLIC NOTICE AND NOTICE OF PUBLIC HEARING

The Colorado Department of Local Affairs will be submitting its Disaster Grant Recovery Plan to the U.S. Department of Housing and Urban Development (HUD), Region VIII on March 16, 2009. The Plan is required under the Supplemental Appropriations Act of 2008 (Pub. L. 110-252)

The Recovery Plan will be used by the state to guide the distribution of \$589,561 in CDBG Disaster Recovery Funding toward meeting eligible unmet needs in the areas affected by the May 26, 2008 tornado in Weld County, Colorado.

Written comments on the plan will be accepted until March 26, 2009 by fax to Teri Davis, (303) 866-4819, or e-mail to teri.davis@state.co.us.

The plan will be available for inspection on the internet at www.dola.state.co.us as of March 9, 2009. A copy of the complete document to be submitted to HUD will also be available for public review during regular office hours from March 9, 2009 through March 16, 2009, at 1313 Sherman Street, Room 521, Denver, Colorado. **If special accommodations are needed, please notify Teri Davis (303) 866-4462.**

STATE OF COLORADO
DEPARTMENT OF LOCAL AFFAIRS
Tornado Disaster in the Northern Front Range
Action Plan for Disaster Recovery
DRAFT

INTRODUCTION

The State of Colorado is required to publish an Action Plan for Disaster Recovery (**Action Plan**) that describes the proposed use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding associated with the Consolidated Security, Disaster Assistance and Continuing Appropriations Act, 2008 (Public Law 110-329), for the disaster relief of unmet needs resulting from the May 22, 2008 tornado in Weld County, Colorado.

This Action Plan will be used by the state to guide the distribution of \$589,561 in CDBG Disaster Recovery Funding toward meeting eligible unmet needs in areas affected by the tornados and will describe:

- The citizen participation process used to develop the Action Plan;
- Eligible affected areas and applicants, and the methodology to be used to distribute funds to those areas and applicants;
- Activities for which funding may be used; and
- Grant administration standards.

Public Comment Process:

The State of Colorado Action Plan for Disaster Recover is being released for public comment on Monday, March 9, 2009 through March 16, 2009. The Action Plan is being posted on the Department of Local Affairs' website (www.dola.state.co.us) as well. An announcement of the Action Plan's availability will be made in the Denver Post, a state-wide newspaper on March 8, 2009. Comments on the plan will be accepted until March 16, 2009 by e-mail at teri.davis@state.co.us or by contacting Teri Davis at DOLA, 1313 Sherman Street, Room 521, Denver, CO 80203; office phone number (303) 866-4462, fax number (303) 866-4819.

Any substantial changes made to the plan as a result of public comments will be posted as an amendment and published. Substantial changes are considered to be changes in the method of distribution and will allow for a comment period of no less than 7 days.

Narrative Describing the Effects of the Tornado Disaster

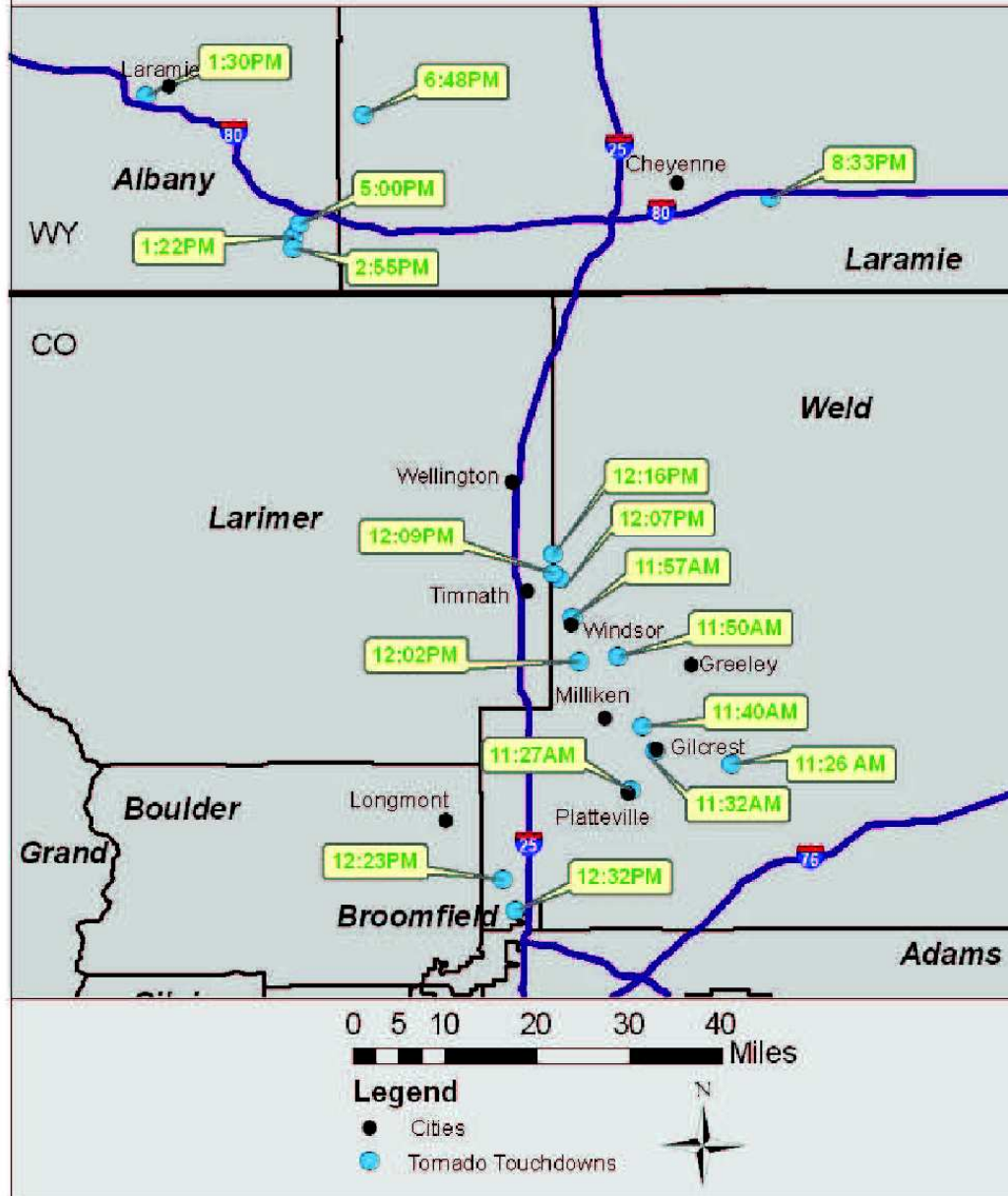
A massive storm struck Northern Colorado on May 22, 2008 with a reported six funnel clouds that cut a swath of destruction along a 35-mile long northwesterly track. The storm also caused extensive hail and wind damage in the region. The tornados touched down near Platteville about 50 miles north of Denver, and tracked northwesterly past Gilcrest, Milliken, Johnstown, Greeley, Windsor and Timnath. When the storm was over, one person was dead and 256 homes were damaged or destroyed. Electrical, gas and water systems throughout Windsor were disrupted. Early estimates had 60,000 residences without power. Two wastewater treatment plants were damaged. Livestock and domestic animals were separated from their owners.



FEMA

TORNADO TOUCHDOWNS MAY 22, 2008 PRELIMINARY DATA FROM THE NATIONAL WEATHER SERVICE

FEMA Region VII
J.GOLD SMITH
Mitigation GIS
05/23/2008



Damage Assessment teams consisting of federal, state, and local resources described the damage as follows:

		Cat A	Cat B	Cat C	Cat D	Cat E	Cat F	Cat G	Total	Dollars
	2002	Debris	Protective	Road	Water	Buildings	Utility		Estimated	Per
County	Population	Clearance	Measures	Systems	Control	& Equip	Systems	Other	Damage	Capita
Weld	180,936	276,980	537,127	0	0	218,868	969,104	49,837	2,051,916	\$11.34
Larimer	251,494	0	0	0	0	105,000	59,400	0	164,400	\$0.65
State Agency			340,000						340,000	
Total Costs		276,980	877,127	0	0	323,868	1,028,504	49,837	2,556,316	
State Totals	4,301,261									\$0.59

Estimates of eligible Public Assistance under PL 93-288, as amended

Immediately following the incident, debris removal, police protection and fire safety response were the areas of greatest need followed by housing assistance to those left with extensive damage and lack of access to electricity and safe housing. The town of Windsor in Weld County was hardest hit.

The Department of Local Affairs (DOLA) and U.S. Department of Health and Human Services have a long term plan to be in the community for a period of 18 months. DOLA is the chair of the ESF-14 Long Term Recovery Committee which involves, FEMA, EPA, HUD and USDA as long term partners as well as local governments. The committee is working to develop a strategy for long term recovery for local governments. There is also an ESF-14 committee developing a strategy for individuals. This committee is made up of United Way, Mental Health, religious organizations, volunteers, etc.

The Town of Windsor belongs to the flood insurance program. FEMA mitigation dollars are available to assist with flood control and issues. DOLA meets regularly with state and local officials for disaster mitigation programs and training as well as pre-disaster readiness. Local governments are required to use the latest building code requirements when constructing or rehabbing buildings. Any projects receiving CDBG or disaster recovery funds will be expected to follow the 8-step process identified in the standard CDBG environmental review process as well as utilizing the flood insurance program.

DOLA's Division of Emergency Management has granted funds to assist the county in coordinating an emergency shelter plan for its citizens. The department's Division of Housing has assisted in funding a housing needs assessment for the Town of Windsor to determine the housing needs of low and moderate income persons. Once activities are identified, it is expected that additional funding will be made available to assist the area with projects involving eligible uses of CDBG funds. In addition, the department's Division of Local Government has assisted the affected communities with funding from the state's Energy and Mineral Impact Assistance Program for a variety of projects ranging from assistance with replacing a police vehicle damaged by the tornado to a multi-jurisdictional project to implement an early warning system involving several municipalities and the county.

Method Of Distribution

The following are activities defined by the affected communities as being the highest priority within the guidelines of eligibility. These activities will be funded using Colorado's portion (\$589,561) of the CDBG Disaster Recovery Funding:

1. No more than 50% of these funds, or \$294,780.50 will be used to reimburse the Towns of Windsor, and Gilcrest, and Weld County for unreimbursed expenses relating to debris removal efforts occurring after May 22, 2008.
2. The second priority is to assist the Town of Windsor and Weld County with architectural barrier removal. Sidewalk curb cuts and ramps will be installed in areas still in need of this activity in order to make the town accessible to its citizens with mobility impairments. Immediately following the disaster, town fund's were used in a variety of efforts, depleting their ability to make these planned improvements.
3. Any remaining funds will be used to assist the town's senior services program in replacing equipment damaged by the tornado not fully covered by insurance.

Eligible Applicants

Eligible applicants for these funds are the Towns of Windsor and Gilcrest, and Weld County.

Monitoring Standards and Procedures

DOLA will utilize the State of Colorado's CDBG program monitoring policies and procedures for ensuring compliance with federal guidelines. These policies and procedures are consistent with those used by HUD to monitor state-administered and entitlement programs.

DOLA will utilize its existing monitoring process to ensure that all contracts funded under this disaster recovery allocation are carried out in accordance with federal and state laws, rules and regulations. Expenditures will be disallowed if the use of the funds does not address disaster related needs or are clearly not for the greatest needs. DOLA will develop revised monitoring checklists, appropriate for the Disaster Recovery funding, and applicable waivers. In addition to the usual information collected through the CDBG Monitoring Checklist, the revised version will include questions designed to address the issue of non-duplication of benefits. All grants will be monitored at least once during the life of the activity. The monitoring will address program compliance with contract provisions, including national objective, financial management, and other requirements.

Steps the State Will Take To Avoid or Mitigate Occurrences of Fraud, Abuse, and Mismanagement

Colorado's CDBG program, through the Department of Local Affairs, will provide technical assistance to local government grant recipients and undertake administrative and monitoring activities to ensure compliance with applicable federal requirements.

Increasing Capacity at Local Level

DOLA, through its divisions of Local Government and Housing, offers a variety of technical assistance relating specifically to grant compliance, as well as a variety of local government issues such as budget, finance, elections, special district formation. This assistance is made

available to all local governments within Colorado.

Prevention of Duplication of Benefits

DOLA will require local government subgrantees to provide documentation of costs being reimbursed as well as a certification that these costs were not covered by any other eligible source. Financial records will be monitored to track the payment of these costs. As with our regular CDBG program, all expenses related to projects will be on a reimbursement basis only.

National Objective

Disaster Grant Recovery Funds require that at least 50% of funds used are for activities that primarily benefit low and moderate income persons. The local governments in Weld County will use these funds for “presumed benefits” clients such as senior citizens and those with mobility impairments. The remaining 50% of the funds will go towards reimbursing the Town of Windsor and Weld County with debris removal costs. These funds will be categorized under the Urgent Need National Objective.

Administrative Cap

The state does not intend to budget any of these funds for general administration. Subgrantees are encouraged to minimize their administrative costs so that the amount available for program activities will be maximized. In any instance, administrative costs will not exceed 10% of the overall grant amount.

Program Changes through Contract Amendments

Careful planning is required prior to contract implementation. Should a proposed amendment result in the need for modification of this Action Plan, the state will follow the process required by HUD for amending the Plan.

Documentation

The use of the disaster funding is contingent upon certain requirements, both the state and local government will be expected to certify that these requirements will be met or carried out. The chief elected official, or authorized designee by the local government applying for funds will be required to certify in writing that the grant will be carried out in accordance with applicable laws and regulations. Local governments will be required to maintain documentation that fully supports the application submitted to the Department. This documentation will be monitored and results of the monitoring kept at the state level. Failure to comply with the requirements of the grant will result in the state following its usual methods of grant cancellation and recovery of funds.

Reporting

Each project funded will require a report by the subgrantee, on a form provided by the department on the status of activities undertaken and funds drawn.

Citizen Complaints

Subgrantees must establish procedures for responding to citizens’ complaints regarding activities carried out utilizing these funds. Subgrantees will be expected to provide a written

response to every citizen complaint within a reasonable time. The state will be the final arbitrator in these matters.

Regulatory Requirements

Subgrantees must comply with fair housing, nondiscrimination, labor standards, environmental requirements applicable to the CDBG program. Compliance must be documented by the subgrantee and will part of the monitoring by the state.

Recipients of these disaster recovery funds will be expected to minimize displacement of persons or businesses assisted with these funds.